UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

FERNANDO NAVARRO HERNANDEZ,

Petitioner,

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WILLIAM GITTERE, et al.,

Respondents.

Case No. 3:09-cv-00545-LRH-CSD

ORDER GRANTING MOTION FOR EXTENSION OF TIME (ECF NO. 315)

In this capital habeas corpus action, the Court has ordered the parties to file supplemental briefing—an amended answer by Respondents, followed by an amended reply by Petitioner Fernando Navarro Hernandez, followed by a response to the amended reply by Respondents—in the wake of the Supreme Court's decision in *Shinn v. Ramirez*, 142 S. Ct. 1718 (2022). *See* Order entered June 28, 2022 (ECF No. 307). Following a 60-day initial period (see Order entered June 28, 2022 (ECF No. 307)), a 91-day extension of time (ECF No. 310), a 60-day extension of time (ECF No. 312), and a 45-day extension of time (ECF No. 314), Respondents' amended answer was due on March 13, 2023.

On March 13, 2023, Respondents filed a motion for extension of time (ECF No. 315), requesting a further 4-day extension of time, to March 17, 2023, for their amended answer. Respondents' counsel states that Hernandez, who is represented by appointed counsel, does not oppose the motion for extension of time.

The Court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 315) is **GRANTED**. Respondents will have until and including **March 17, 2023**, to file their amended answer.

IT IS FURTHER ORDERED that, in all other respects, the schedule for further proceedings set forth in the order entered February 20, 2015 (ECF No. 94) will remain in effect.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Civil Procedure 25(d), William Gittere is substituted for William Reubart as the respondent warden. The Clerk of the Court is directed to update the docket to reflect this change.

DATED THIS 14th day of March, 2023.

LARRY R. HICKS

UNITED STATES DISTRICT JUDGE